

Whereupon all and Singular the Premises being by the Court here Seen heard and fully Understood and Mature Deliberation thereupon had for that it Seems to the Court here that the Afs^d Roger Mathews hath Above in his rejoynder Pleaded Alledged Sufficient matter in Law to Barr the Afores^d attorney Generall for the said Lord Propry from having his Action Afores^d ag^t him the said Roger Mathews. Therefore it is [845] Considered by the Justices here the Twenty first Day of May Anno Dom: 1728 aforesaid That the said Michael Howard his Lordships Attorney Gen^l Who for his Lordship Prosecuteth take Nothing by his Writt Afores^d And that the said Roger Mathews go thereof Without Day etc:

Afterwards in the same Court or Term Ariana Bordley Ex^x as Afs^d Prays An Appeal from the Judgment of this Court in the Premises Afs^d to the High Court of Appeals Which is Granted her and ordered that the Record thereof be Transmitted Accordingly.

In Testimony that the foregoing is A true Copy taken from the Records of the Prov^l Court the seal of the said Court is hereunto Affixed this 18th Day of June Annoque Dom: 1728. [seal]

Per Vachel Denton Clk Cur: Provin

Afterwards To Witt on the said 2^d Day of July Anno Dom: 1728 Before his Lordships Court of Appeals and Errors at the City of Annapolis Comes Mich^l Howard Esq^r his Lordships Attorney Gen^l Who for the said Ariana Bordley Af^d Sayth That in the Record and Process afs^d as also in rendering the Judgment Afs^d It is Manifestly Erred in this that by the record Afs^d it Appeareth that the Judgment Afs^d was rendered for the afores^d Roger Mathews Against the Same Lord Propry Whereas by the Law of the Land that judgment Ought to have been rendered for the Afs^d Lord Propry ag^t the said Roger Mathews. It is Erred also in this That Whereas by the Record Afs^d it Appeareth that the Judgmen^t Afs^d was Rendered That the Afs^d Roger Mathews Should go thereof without Day Nevertheless Judgment should have been Rendered, that the said Lord Propry Should Recover Against the said Roger Mathews the Debt Afs^d and the Damages Occasioned by Detaining the Same Debt, Therefore it is therein Manifestly Erred, And the Same attorney General Prayeth that for those Errors and other Errors in the Record and Process afs^d Appearing, the judgment Afs^d may be Reversed Annulled and altogether held for none, And that as well the Afores^d Lord Propry As the said Ariana Bordley to all which they have Lost by Occasion of that Judgment may be Restored, And that Such Judgment May be Rendered in this Court for the said Lord Propry as by the Law of the Land Ought to have been Rendered for the same Lord Propry Against the said Roger Mathews in the said Provinciaall Court, And that the afs^d Roger Mathews to those Errors May Rejoyne etc: M Howard.